

Application No. 10/073,406

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REMARKS

Claims 1-6 are pending in the present application.

Claims 1-6 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of copending application number 10/073,423. In response, Applicants submit the attached Terminal Disclaimer submission.

Claims 1-6 stand rejected under 35 U.S.C. § 102(e) as being anticipated by USPN 6,324,505 to Choy et al. Applicants respectfully traverse this rejection as follows.

The Choy patent discloses the use of a voicing measure that employs only open loop measures of periodicity derived from the input signal. Claim 1 of the present invention, however, recites:

extract measures of periodicity from the normalized PW that are correlated to degrees of periodicity over each predetermined interval;

extract measures of periodicity from open loop parameters derived from the input signal that are correlated to degrees of periodicity over each predetermined interval; and

provide an overall voicing measure for each predetermined interval, said voicing measure characterizing a degree of voicing of said input signal, by combining the measures of periodicity extracted from the open loop parameters and the measures of periodicity extracted from the normalized PW over the predetermined intervals

The present invention thereby claims the extraction of measures of periodicity from the normalized prototype waveform (PW), as well as extracting measures of periodicity from open loop parameters derived from the input signal. The Choy patent lacks any disclosure or suggestion of any such PW measures of periodicity. Choy, therefore, fails to anticipate claim 1 as amended hereby.

The remainder of the pending claims (including new claims 7-14 depend from claim 1, and therefore, for at least the foregoing reasons, are allowable over the cited Choy patent.

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Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,



Dated: 3 May 2005

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